UNITED STATES DISTRICT COURT for the EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Jermaine Coston

Docket No. 2:15-CR-15-1H

Petition for Action on Supervised Release

COMES NOW Lakesha H. Wright, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Jermaine Coston, who, upon an earlier plea of guilty to Distribution of a Quantity of Cocaine Base (Crack), in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C), was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on January 12, 2016, to the custody of the Bureau of Prisons for a term of 57 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years.

Jermaine Coston was released from custody on October 16, 2018, at which time the term of supervised release commenced.

On November 6, 2018, a Petition for Action was submitted to the court recommending that Coston be allowed to pay his outstanding court-ordered financial obligation of \$1,900 at the rate of at least \$50 per month beginning on December 17, 2018, as opposed to immediately inasmuch as he was unable to satisfy the financial obligation in full during his term of incarceration. It was further recommended that the defendant's conditions of supervised release be amended to include mental health treatment after a comprehensive assessment conducted by PORT Health in Elizabeth City, North Carolina, on October 24, 2018, revealed that Coston would benefit from a mental health assessment in addition to substance abuse treatment due to his history of anger issues. The court ultimately concurred with the probation officer's recommendations. Note: The defendant underwent the mental health evaluation with PORT Health as instructed and was not recommended for mental health treatment. Coston was recommended to participate in monthly individual counseling sessions to address his substance abuse issues.

On November 28, 2018, a Violation Report was submitted to the court advising that on November 19, 2018, prior to the collection of a urine specimen, the defendant admitted to the undersigned probation officer that he consumed cocaine on November 15, 2018, and Percocet, which he obtained from his uncle, on November 16, 2018. It was also noted that Coston stated that his illegal drug use and poor decision making was induced by stress and his use of alcohol at the time. Inasmuch as the defendant readily admitted his drug use and was participating in substance abuse treatment with PORT Health in Elizabeth City at the time, it was recommended that he be continued under supervision without modification. The court concurred with the recommendation. Note: The national laboratory did not confirm the presence of cocaine or Percocet in the defendant's urine.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

A urine specimen collected from Coston on February 19, 2019, was determined by the national laboratory to be positive for cocaine and oxycodone use. On March 7, 2019, when confronted with the laboratory results, the defendant vehemently denied using cocaine and oxycodone; however, in response to the violation, he signed a Waiver agreeing to abide by a curfew with electronic monitoring for a period of 30 consecutive days. Note: The defendant continues to participate in substance abuse treatment with PORT Health in Elizabeth City.

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PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 30 consecutive days. The defendant is restricted to his residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions, and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Dwayne K. Benfield Dwayne K. Benfield Supervising U.S. Probation Officer /s/ Lakesha H. Wright
Lakesha H. Wright
U.S. Probation Officer
306 East Main Street, Room 306
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Executed On: March 13, 2019

ORDER OF THE COURT

Senior U.S. District Judge